UNITED STATES DISTRICT COURT NORTHERN DISTRICT OF IOWA EASTERN DIVISION

MICHELLE L. BRANDT,	CASE NO.:
Plaintiff,	
v. CITY OF CEDAR FALLS, IOWA, LISA ROEDING, JACQUE DANIELSEN, JOHN BOSTWICK, JEFF OLSON, and JENNIFER RODENBECK, Defendants.	LOCAL RULE 81(a) REMOVAL INFORMATION FORM

Defendants City of Cedar Falls, Iowa, Lisa Roeding, Jacque Danielsen, John Bostwick, Jeff Olson, and Jennifer Rodenbeck hereby submit the information required by Local Rule 81(a) in connection with their removal of this case to federal court:

1. All process, pleadings, and orders filed in the state court proceeding are attached hereto. These materials include:

Original Notice
Petition
Return of Original Notice – City of Cedar Falls
Return of Original Notice – J. Bostwick
Return of Original Notice – J. Danielsen
Return of Original Notice – J. Rodenbeck
Return of Original Notice – L. Roeding
Return of Original Notice – J. Olson

- 2. There are no known matters pending before the Iowa District Court that will require resolution by this Court, other than the claims asserted by the Plaintiff.
 - 3. The following attorneys for plaintiff have appeared in the state court action:

Bruce H. Stoltze, Jr. Stoltze & Stoltze, PLC 300 Walnut, Ste. 260 Des Moines, Iowa 50309 bj.stoltze@stoltzelaw.com

4. The following attorney for Defendants has appeared in the state court action in connection with filing the Notice of Removal as required by 28 U.S.C. § 1446(d):

Andrew T. Tice (AT0007968) AHLERS & COONEY, P.C. 100 Court Avenue, Suite 600 Des Moines, Iowa 50309 (515) 243-7611 (515) 243-2149 (fax) atice@ahlerslaw.com

/s/ Andrew T. Tice

Andrew Tice (AT0007968) AHLERS & COONEY, P.C. 100 Court Avenue, Suite 600 Des Moines, Iowa 50309 Telephone: (515) 243-7611

Facsimile: (515) 243-2149 atice@ahlerslaw.com

ATTORNEYS FOR DEFENDANTS CITY OF CEDAR FALLS, IOWA, LISA ROEDING, JACQUE DANIELSEN, JOHN BOSTWICK, JEFF OLSON, and JENNIFER RODENBECK

Electronically filed and served:

Bruce H. Stoltze, Jr.
Stoltze & Stoltze, PLC
300 Walnut, Ste. 260
Des Moines, Iowa 50309
bj.stoltze@stoltzelaw.com
ATTORNEYS FOR PLAINTIFF

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		CERTIFICATE OF S	SERVIC	Œ			
	The undersigned certifies that the foregoing instrument was served upon all parties to the above cause to each of the attorneys of record herein at their						
respec	ctive ac	ldresses disclosed on the pleadings	on:	March 2, 2020			
By:		U.S. Mail		Fax			
		Hand delivery		Private Carrier			
	\boxtimes	Electronically (via CM/ECF)		E-mail			
Signature:		/s/ Pam Norelius					

IN THE IOWA DISTRICT COU	RT FOR BLACK HAWK COUNTY
MICHELLE BRANDT,	
Plaintiff,	CIVIL NO.
v.	
CITY OF CEDAR FALLS, IOWA, LISA ROEDING, JACQUE DANIELSEN, JOHN BOSTWICK, JEFF OLSON, and JENNIFER RODENBECK,	ORIGINAL NOTICE
Defendants.	

TO THE ABOVE-NAMED DEFENDANTS: City of Cedar Falls, Iowa, Lisa Roeding, Jacque Danielsen, John Bostwick, Jeff Olson, and Jennifer Rodenbeck.

YOU ARE HEREBY NOTIFIED that a petition has been filed in the office of the Clerk of this Court naming you as Defendants in this action. A copy of the Petition (and any documents filed with it) is attached to this notice. The attorneys for the Plaintiff are Bruce Stoltze, Jr., Stoltze & Stoltze, PLC, 300 Walnut, Suite 260, Des Moines, Iowa 50309. Plaintiff's attorney's telephone number is (515) 244-1473, facsimile is (515) 244-3930 and emails are: bj.stoltze@stoltzelaw.com.

You must serve a motion or answer within twenty (20) days after service of this Original Notice upon you and, within a reasonable time thereafter, file your Motion or Answer, with the Clerk of Court for Iowa District Court for Black Hawk, County, at the Courthouse in Waterloo, Iowa. If you do not, judgment by default will be rendered against you for the relief demanded in the Petition.

This case has been filed in a county that utilizes electronic filing. General rules and information on electronic filing are contained in Iowa Court Rules Chapter 16. Information regarding requirements related to the protection of personal information in court filings is contained in Iowa Court Rules Chapter 16, VI.

If you need assistance to participate in court because of a disability, immediately call the disability coordinator at 515-286-3394. Persons who are hearing or speech impaired, may call Relay Iowa TTY at 1-800-735-2942. Disability coordinators cannot provide legal advice.

STATE OF IOWA JUDICIARY

Case No. LACV139168

County BlackHawk

Case Title M BRANDT VS CITY OF CEDAR FALLS ET AL.

THIS CASE HAS BEEN FILED IN A COUNTY THAT USES ELECTRONIC FILING.

Therefore, unless the attached Petition and Original Notice contains a hearing date for your appearance, or unless you obtain an exemption from the court, you must file your Appearance and Answer electronically.

You must register through the lowa Judicial Branch website at http://www.lowacourts.state.ia.us/Efile and obtain a log in and password for the purposes of filing and viewing documents on your case and of receiving service and notices from the court.

FOR GENERAL RULES AND INFORMATION ON ELECTRONIC FILING, REFER TO THE IOWA COURT RULES CHAPTER 16 PERTAINING TO THE USE OF THE ELECTRONIC DOCUMENT MANAGEMENT SYSTEM: http://www.iowacourts.state.ia.us/Efile

FOR COURT RULES ON PROTECTION OF PERSONAL PRIVACY IN COURT FILINGS, REFER TO DIVISION VI OF IOWA COURT RULES CHAPTER 16: http://www.iowacourts.state.ia.us/Efile

Scheduled Hearing:			

If you require the assistance of auxiliary aids or services to participate in court because of a disability, immediately call your district ADA coordinator at (319) 833-3332 . (If you are hearing impaired, call Relay low

Date Issued 12/19/2019 10:15:21 AM



District Clerk of BlackHawk
/s/ Jessica Graham

County

IN THE IOWA DISTRICT CO	URT FOR BLACK HAWK COUNTY
MICHELLE L. BRANDT,	CIVIL NO.
Plaintiff,	
vs. CITY OF CEDAR FALLS, IOWA, LISA ROEDING, JACQUE DANIELSEN, JOHN BOSTWICK, JEFF OLSON, and JENNIFER RODENBECK,	PETITION AT LAW AND JURY DEMAND
Defendants.	

COMES NOW the Plaintiff, Michelle L. Brandt, and for her cause of action against the Defendants City of Cedar Falls, Iowa, Lisa Roeding, Jacque Danielsen, John Bostwick, Jeff Olson, and Jennifer Rodenbeck respectfully states:

- 1. At all times pertinent herein the Plaintiff, Michelle L. Brandt, (hereinafter referred to as "Brandt") was and is an individual and resident of Bremer County, Iowa.
- 2. At all times pertinent herein the Defendant, City of Cedar Falls, Iowa, (hereinafter referred to as "Cedar Falls") was and is a municipality of the State of Iowa located in Blackhawk County, Iowa.
- 3. Upon information and belief, Defendant, Lisa Roeding (hereinafter referred to as "Roeding"), was at all times material hereto, Manager of Finance and Business Operations and/or City Treasurer for the City of Cedar Falls, Iowa.
- 4. Upon information and belief, Defendant Jacque Danielsen (hereinafter referred to as "Danielsen"), was at all times material hereto, Senior Secretary for the City of Cedar Falls, Iowa then later became the City Clerk of the City of Cedar Falls, Iowa.

- 5. Upon information and belief, Defendant John Bostwick (hereinafter referred to as "Bostwick"), was at all times material hereto, Acting Fire Chief for the City of Cedar Falls, Iowa and the Assistant Director of Public Safety Services.
- 6. Upon information and belief, Defendant Jeff Olson (hereinafter referred to as "Olson"), was at all times material hereto, Public Safety Director for the City of Cedar Falls, Iowa.
- 7. Upon information and belief, Defendant Jennifer Rodenbeck (hereinafter referred to as "Rodenbeck"), was at all times material hereto, Director of Finance and Business Operations for the City of Cedar Falls, Iowa.
- 8. Plaintiff has filed a complaint with the Iowa Civil Rights Commission and received a right-to-sue letter on September 19, 2019.

FACTUAL BACKGROUND

- 9. Plaintiff repleads and incorporates Paragraphs 1-8 and 31-80 as if pled here.
- 10. Plaintiff began her employment with the City of Cedar Falls on February 5th, 2001 as a part-time administrative clerk and was re-classed as a part-time secretary in July 2001.
- 11. In July 2014 Plaintiff's title changed to Administrative Clerk.
- 12. On March 8, 2010, Plaintiff transferred to the Fire Department.
- 13. From November 2014 through May 2017 there were five full-time job openings advertised. Plaintiff was on each Civil Service list and was only interviewed for three positions. She was passed by for these positions for three very different reasons.

- 14. In May, 2016, Plaintiff asked Jacque Danielsen and Lisa Roeding, along with her supervisor at the time, Acting Fire Chief John Bostwick, why Plaintiff did not get the two positions and what she could do differently for the next full-time position.
- 15. Plaintiff received a Counseling Memo on July 7, 2016, listing out complaints made by her coworkers and supervisors. Plaintiff believes that her inquiry into why she did not receive a promotion sparked Defendant Bostwick to inquire to her co-workers and supervisors about any and all complaints related to her personality or performance.
- 16. In 2016, Plaintiff was working for both the Finance department and the Fire Department. This is when Plaintiff began working with Andrea Ludwig. Plaintiff taught her how to use the Fire House Software and other Fire Department duties.
- 17. In April, 2016 and July 2017 Brandt trained Marcie on the Fire Department duties.
- 18. In May, 2016, Plaintiff was told she had to go to Section 8 Housing Authority to help the Housing Specialist for that department get caught up in her work while she was also trying to complete the commercial inspections for the Fire Department. Plaintiff was unable to complete all work necessary for the commercial inspections and her hours were changed from 7:30pm 1:30pm to 9am-3pm to help the Housing Specialist.
- 19. Plaintiff was then going to be transferred to the finance and Business Operations

 Department, but Angie Fordyce the Housing Specialist requested the transfer be delayed.

- 20. The request was approved by Defendants Bostwick, Roeding, and Rodenbeck.
- 21. On August 22, 2016 Plaintiff was transferred to the Finance and Business Operations Department.
- 22. She began working in Finance and Business Operations on August 22, 2017 and was told that she would be working one day a week in Public Records and her hours were again changed to 11:00 am 5:00 pm Monday through Thursday and 12:00pm 5:00pm on Fridays.
- 23. October 1, 2016 Plaintiff was given responsibilities for the background checks for the FBO Department for the Personnel Division's new and upcoming seasonal hires along with her other Finance duties.
- 24. Plaintiff was written up many times while going through her training process with the Finance Department for making mistakes that additional or adequate training would have prevented.
- Defendant Roeding and Brenda Balvanz had a meeting with Plaintiff regarding medications that she was on and if they would affect her work performance. Plaintiff submitted a list of all medications she was taking for them to review. The City Attorney, Kevin Rogers, went over her medications and determined that none of her medications would cause side effects that would lead to the problems that were addressed in any of her previous warnings.
- 26. Plaintiff was told by fellow employees that Andrea Ludwig was asked to report and email every mistake made by Plaintiff to Defendant Roeding.

- 27. Plaintiff complained multiple times to Defendant Roeding about how she did not feel her training was adequate and that she felt she was being targeted by a hostile work environment.
- 28. Plaintiff began her training on cash receipts, statements and reconciling the Public Works statements with the FBO billing system in August, 2017 and was being trained by Andrea Ludwig. She went to Lisa at least three (3) separate times about the training being provided to her. She reported that Andrea was rude, snippy and most of the time answered her questions with another question or by referring her to the Accounting Manual. When Plaintiff had questions, she stopped asking Andrea and started asking Defendant Roeding.
- 29. Plaintiff applied for FMLA on August 11, 2016, for her TMD & TMJ conditions and to help take care of her mother.
- 30. Plaintiff met with Defendant Roeding and Brenda Balvanz where she was given notice that her FMLA was out dated. They asked the Plaintiff to remove her FMLA sick leave on her timesheet to personal sick leave. Defendant Roeding said that she did not know that Plaintiff was on FMLA and did not receive enough information from Plaintiff about her absence being FMLA. Plaintiff had applied for FMLA before being transferred to the Finance Department. Roeding and Balvanz requested that Plaintiff get a Medical Certification for her FMLA and FMLA to care for her mother. The FMLA certification was signed by both treating physicians on January 18, 2018 and on January 29, 2018.

31. Plaintiff was terminated from the position of Administrative Clerk with the City of Cedar Falls, Iowa on March 2, 2018. The reasons given for Plaintiffs termination was that she was late for work without calling or texting ahead of time, she was lacking job performance, and she did not ask for assistance.

COUNT I – AGE DISCRIMINATION and FAILURE TO TRAIN/FAILURE TO PROMOTE (IOWA CODE CHAPTER 216)

- 32. Plaintiff repleads and incorporates Paragraphs 1-31 and Paragraphs 44-80 as if pled here.
- 33. Plaintiff applied for multiple full-time positions she was qualified for in her time with the City of Cedar Falls, Iowa.
- 34. Plaintiff was not given any of these positions that she applied for.
- 35. Plaintiff feels like she was not given a promotion or job positions that she has applied for due to her age.
- 36. Plaintiff is 56 years old.
- 37. Plaintiff was employed at City of Cedar Falls, Iowa from February 5, 2001 through March 2, 2018, and never received a promotion or was granted one of the multiple job positions that she had applied for.
- 38. The Defendants in this case treated the Plaintiff differently in the terms and conditions of her employment based on her age.
- 39. The actions of the Defendants were discriminatory to Plaintiff's age, to wit employees with less experience with City of Cedar Falls, Iowa, were receiving promotions and new positions over the Plaintiff.

- 40. Defendants' actions violated Iowa Code Chapter 216 in such other ways as the evidence may demonstrate.
- 41. Defendants terminated Plaintiff on the basis of her age.
- 42. Defendants' actions were the cause of damages to Plaintiff.
- 43. Plaintiff suffered damages as a result of the aforesaid age discrimination by Defendants.

WHEREFORE, the Plaintiff, Michelle L. Brandt, respectfully prays for judgment against Defendants City of Cedar Falls, Iowa, Lisa Roeding, Jacque Danielsen, John Bostwick, Jeff Olson, and Jennifer Rodenbeck in a sum deemed reasonable and proper for compensatory damages, and a sum deemed reasonable, for cost and interest and such other or further relief as just and proper.

COUNT II – DISCRIMINATION – REAL OR PERCEIVED DISABILITY (IOWA CODE CHAPTER 216)

- 44. Plaintiff repleads and incorporates Paragraphs 1-43 and 53-80 as if pled here.
- 45. The Defendants in this case treated the Plaintiff differently in the terms and conditions of her employment based on her real or perceived disability.
- 46. Plaintiff has suffered from TMJ and TMD, Anxiety, and Depression during the course of her employment with the City of Cedar Falls, Iowa.
- 47. Plaintiff's anxiety is exacerbated by high stress situations. There were days at work where the stress was so much that Plaintiff suffered panic attacks and was visibly shaking from her anxiety.

- 48. Plaintiff was written up multiple times for absences related to medical appointment, some of which were FMLA absences.
- 49. Defendants' actions violated Iowa Code Chapter 216 in such other ways as the evidence may demonstrate.
- 50. Defendants terminated Plaintiff on the basis of her disability or their perception as to being disabled.
- 51. Defendants' actions were the cause of damages to Plaintiff.
- 52. Plaintiff suffered damages as a result of the aforesaid real or perceived disability discrimination by Defendants.

WHEREFORE, the Plaintiff, Michelle L. Brandt, respectfully prays for judgment against Defendants City of Cedar Falls, Iowa, Lisa Roeding, Jacque Danielson, John Bostwick, Jeff Olson, and Jennifer Rodenbeck in a sum deemed reasonable and proper for compensatory damages, and a sum deemed reasonable, for cost and interest and such other or further relief as just and proper.

COUNT III – HOSTILE WORK ENVIRONMENT/HARRASMENT – AGE/DISABILITY (IOWA CODE CHAPTER 216)

- 53. Plaintiff repleads and incorporates Paragraphs 1-52 and 66-80 as if pled here.
- 54. The Defendants in this case created a hostile work environment for Brandt based on her age and real or perceived disability.
- 55. Plaintiff is 56 years old.
- 56. Plaintiff has suffered from TMJ and TMD, Anxiety, and Depression during the course of her employment with the City of Cedar Fall, Iowa.

- 57. The hostile work environment consisted of the facts alleged above.
- 58. The hostile work environment consisted of other such facts as the evidence will show.
- 59. Defendants harassed Plaintiff based on her age and real or perceived disability.
- 60. The Defendants actions violated Iowa Code Chapter 216.
- 61. The Defendants actions violated Iowa Code Chapter 216 in other ways as the evidence will show.
- 62. Plaintiff was terminated as a result of her harassment.
- 63. Defendants actions were the proximate cause of Plaintiff's damages.
- 64. Plaintiff suffered damages as a result of the aforementioned hostile work environment and harassment.
- other expenses, damages to reputation, pain and suffering and has incurred attorney fees and expenses in such other proximate damages as shown by the evidence.

WHEREFORE, the Plaintiff, Michelle L. Brandt, respectfully prays for judgment against Defendants City of Cedar Falls, Iowa, Lisa Roeding, Jacque Danielson, John Bostwick, Jeff Olson, and Jennifer Rodenbeck in a sum deemed reasonable and proper for compensatory damages, and a sum deemed reasonable, for cost and interest and such other or further relief as just and proper.

COUNT IV – RETALIATION
(IOWA CODE CHAPTER 216)

- 66. Plaintiff repleads and incorporates paragraphs 1-67 and 76-80 as if pled here.
- 67. The Defendants in this case retaliated against Plaintiff by refusing to promote her, train her, and terminating her based on her age and real or perceived disability.
- 68. Plaintiff made complaints to Defendants in regards to not being considered or interviewed for the job promotions.
- 69. Plaintiff made complaints to Defendants multiple times about how she did not feel her training was adequate, that she was not promoted, that she was being discriminated against and that she was being harassed/was in a hostile work environment all on the basis of her age and disability/perceived disability.
- 70. Plaintiff began receiving discipline from the Defendants while she was taking FMLA.
- 71. Defendants' action's violated Iowa Code Chapter 216.
- 72. The Defendants' actions violated Iowa Code Chapter 216 in other ways as the evidence will show.
- 73. Defendants actions were the proximate cause of Plaintiff's damages.
- 74. Plaintiff suffered damages as a result of the aforementioned retaliation.
- 75. Plaintiff has suffered the damages of loss of past and future wages, benefits, and other expenses, damages to reputation, pain and suffering and has incurred attorney fees and expenses in such other proximate damages as shown by the evidence.

WHEREFORE, the Plaintiff, Michelle L. Brandt, respectfully prays for judgment against Defendants City of Cedar Falls, Iowa, Lisa Roeding, Jacque Danielson, John Bostwick,

Jeff Olson, and Jennifer Rodenbeck in a sum deemed reasonable and proper for compensatory damages, and a sum deemed reasonable and proper for punitive or exemplary damages, for cost and interest and such other or further relief as just and proper.

COUNT V: VIOLATION OF RIGTS UNDER FAMILY MEDICAL LEAVE ACT

- 76. Plaintiff repleads and incorporates Paragraphs 1-75 as if plcd here.
- 77. The Defendant's actions in disciplining and terminating the Plaintiff were on the basis of age and real or perceived disability, and her usage of FMLA leave, and in violation of Plaintiff's substantial rights under the Family Medical Leave Act, 29 U.S.C. §2601 et.seq.
- 78. The Defendants actions were both in violation of the Family Medical Leave Act in interfering and in retaliation for the Plaintiff exercising her rights pursuant to the Family Medical Leave Act.
- 79. As a proximate cause of the defendant's actions, plaintiff has suffered general and special damages including past and continuing lost wages and benefits.
- 80. The actions of the Defendant were willful and wanton which warrant an award of punitive and/or liquidated damages.

WHEREFORE, the Plaintiff, Michelle L. Brandt, respectfully prays for judgment against Defendants City of Cedar Falls, Iowa, Lisa Roeding, Jacque Danielson, John Bostwick, Jeff Olson, and Jennifer Rodenbeck in a sum deemed reasonable and proper for compensatory damages, and a sum deemed reasonable and proper for punitive, liquidated or exemplary damages, for cost and interest and such other or further relief as just and proper.

Respectfully Submitted,

By: /s/ Bruce H. Stoltze, Jr.

Bruce H. Stoltze, Jr. (AT0010694)

Stoltze & Stoltze, PLC 300 Walnut, Suite 260 Des Moines, Iowa 50309 Telephone: 515-244-1473 Facsimile: 515-244-3930

E-mail:bj.stoltze@stoltzelaw.com ATTORNEY FOR PLAINTIFF

JURY DEMAND

COMES NOW the Plaintiff, Michelle L. Brandt, and hereby demands a trial by jury of all issues properly triable to a jury.

Respectfully Submitted,

By: /s/ Bruce H. Stoltze, Jr.

Bruce H. Stoltze, Jr. (AT0010694)

Stoltze & Stoltze, PLC 300 Walnut, Suite 260 Des Moines, Iowa 50309 Telephone: 515-244-1473 Facsimile: 515-244-3930

E-mail:bj.stoltze@stoltzelaw.com ATTORNEY FOR PLAINTIFF E-FILED 2020 FEB 13 1:58 PM E

CLERK OF PSETTINES POPT OF THIS DOCUMENT WAS FILED WITH THE IOWA EDMS.

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www.cvpslic.net

My Commission Expires June 10, 2020

IN THE IOWA DISTRICT COU	RT FOR BLACK HAWK COUNTY	İ
MICHELLE BRANDT, Plaintiff,	CIVIL NO.	
v. CITY OF CEDAR FALLS, IOWA, LISA ROEDING, JACQUE DANIELSEN, JOHN BOSTWICK, JEFF OLSON, and JENNIFER RODENBECK,	ORIGINAL NOTICE	
Defendants.		

TO THE ABOVE-NAMED DEFENDANTS: City of Cedar Falls, Iowa, Lisa Roeding, Jacque Danielsen, John Bostwick, Jeff Olson, and Jennifer Rodenbeck.

YOU ARE HEREBY NOTIFIED that a petition has been filed in the office of the Clerk of this Court naming you as Defendants in this action. A copy of the Petition (and any documents filed with it) is attached to this notice. The attorneys for the Plaintiff are Bruce Stoltze, Jr., Stoltze & Stoltze, PLC, 300 Walnut, Suite 260, Des Moines, Iowa 50309. Plaintiff's attorney's telephone number is (515) 244-1473, facsimile is (515) 244-3930 and emails are: bi.stoltze@stoltzelaw.com.

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ORIGINAL NOTICE AND P	ETITION AT LAW AN	ID JURY DEMAND
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PAID\$ 55.00	CHECK#	DATE: 2-12-20

E-FILED 2020 FEB 14 11:47 AM BLACKHAWK CLERK OF DISTRICT COURT OF THIS DOCUMENT WAS FILED WITH THE IOWA EDMS.

1729 FALLS AVE STE D WATERLOO IA 50701 (319) 234-1407

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Case 6.20-cv-02013-CJW-MAR Document 1-2 Filed 03/02/20 Page 21 of 35

E-FILED 2020 FEB 14 11:47 AM BLACKHAWK - CLERK OF DISTRICT COURT

IN THE IOWA DISTRICT COU	RT FOR BLACK HAWK COUNTY
MICHELLE BRANDT,	CIVIL NO.
Plaintiff,	027127101
v.	*
CITY OF CEDAR FALLS, IOWA, LISA ROEDING, JACQUE DANIELSEN, JOHN BOSTWICK, JEFF OLSON, and JENNIFER RODENBECK,	ORIGINAL NOTICE
Defendants.	

TO THE ABOVE-NAMED DEFENDANTS: City of Cedar Falls, Iowa, Lisa Roeding, Jacque Danielsen, John Bostwick, Jeff Olson, and Jennifer Rodenbeck.

YOU ARE HEREBY NOTIFIED that a petition has been filed in the office of the Clerk of this Court naming you as Defendants in this action. A copy of the Petition (and any documents filed with it) is attached to this notice. The attorneys for the Plaintiff are Bruce Stoltze, Jr., Stoltze & Stoltze, PLC, 300 Walnut, Suite 260, Des Moines, Iowa 50309. Plaintiff's attorney's telephone number is (515) 244-1473, facsimile is (515) 244-3930 and emails are: bj.stoltze@stoltzelaw.com.

You must serve a motion or answer within twenty (20) days after service of this Original Notice upon you and, within a reasonable time thereafter, file your Motion or Answer, with the Clerk of Court for Iowa District Court for Black Hawk, County, at the Courthouse in Waterloo, Iowa. If you do not, judgment by default will be rendered against you for the relief demanded in the Petition.

This case has been filed in a county that utilizes electronic filing. General rules and information on electronic filing are contained in Iowa Court Rules Chapter 16. Information regarding requirements related to the protection of personal information in court filings is contained in Iowa Court Rules Chapter 16, VI.

If you need assistance to participate in court because of a disability, immediately call the disability coordinator at 515-286-3394. Persons who are hearing or speech impaired, may call Relay Iowa TTY at 1-800-735-2942. Disability coordinators cannot provide legal advice.

ORIGINAL NOTICE A	AND PETITION AT LAW A	ND JURY DEMAND	
INDEX/CASE# LACV	139168	JO	DB#
	CVPS TF	UP SHEET	
FILE NO. 20-465	DATE RECEIV	/ED: 2-12-20	TIME: 2:30PM
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PERSON TO BE SERY	ÆD:JOHN BOSTW	ICK	
SIGNATURE:			
The above signed individua	l, acknowledges they have received	d 🚺 🔲 2 🔲 3 🔲 4 📗	5 6 7 8 copies of service
M F Ethnicit	y Age LO Heigh	t <u>5 ']]</u> " Weight	1851bs Hair Color Gray
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	GSERVICE: 515-244-147		
STOLTZE & STOLTZE	, PL ATTORNEYS AT LAW	V 300 WALNUT SUITI	E 260 DES MOINES IA 50309
ADDRESS TO BE SER	_{VED:} 1830 CRESC	ENT DR	
	CEDAR FAI	LLS IA 50613	
SPECIAL INSTRUCTION	ONS:		
4 6 2	775 (35		
PATD\$ 55.00	CHECK#	DA	ATE: 2-12-20

E-FILED 2020 FEB 14 11:48 AM BLACKHAWK-

CLERK OF PISTRICED POPT OF THIS DOCUMENT WAS FILED WITH THE IOWA EDMS.

1729 FALLS AVE STE D WATERLOO IA 50701 (319) 234-1407

AFFIDAVIT OF DETTION OF SERVICE

STATE OF IOV	WA)	EIURN OF SE	LRVICE	
BLACK HA	AUTO)			
And the state of t		COUNTY)ss ig duly sworn on oath do hereb	v dances and state the	# 1	1
other document	t/s) on the 12	day of FEBRUARY	y depose and state tha	13 deceived the attached noti	
I served on the	within-named	ACQUE DANIELSEN	, 20 <u></u> , that on the	day of Transcript	20 20
at 220 CLAY ST		, in CEDAR F	FALLS	in BLACK HAWK	
		copy of each such item in the		in BUACK HAWK	County, lowa
Sy delivering a t			_		
	I served the sa	me by delivering a copy thereof	f to the above person(s	i) personally.	
	I served the sa	me on the above person at the	above person's dwellin	ng house or usual place of abo	ode (which place
	was not a roor	ning house, hotel, club or aparti	ment building) by there	e delivering a copy thereof to	the individual
	named below,	a person who was then at least	18 years old.		
	I served the sa	me on the above person at the	above person's dwellin	ng, house or usual of abode (w	vhich place was a
	rooming house	, hotel, club or apartment) by the	here delivering a copy	thereof to a member of the fa	amily or
		, proprietor, custodian or perso	ח(s) in possession nam	ed and described below, a pe	rson who was
	then at least 1	3 years old.			
	I served the ab	ove person(s), company and/or	corporation by deliver	ring a copy to the person nam	ed and described
		ervice was made at the address			

	Rule 1.3 actio	02(5) Original notices may be served by 1. A party or party's agent may take an a	y any person who is neither : acknowledgment of service :	a party nor the attorney for a party to and deliver a copy of the original not	o the
Description of Pers	NAMEA	ND TITLE OR RELATIONSHIP OF I	INDIVIDUAL SERVED (IF	NOT SHOWN ABOVE)	· tan tan
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SERVICE TIME 1:	25PM	- Access to the	71 0 00	~	
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O	RIGINAL NOT	CE; PETITON AT LAW	DI-POLY	KIM BUENZOW , PROCESS S	EDVED
PROCESS TYPEAT	ND JURY DEM	AND		TOTAL BOLLESCOP / FROCESS	ILIVER
CASE NO. LACV	7139168				
		ORE ME THE SAID		KIM BUENZOW	
THIS <u>14 · </u>	DAY OF FEBRU	ARY 20 20	/\		
			~ 1	w Or i	
NOVE OR O	CES	TODG TTC		my her	
056	editor, ill bill the	CVPS, LLC	No.	NOVARY PUBLIC	
W. S.	T	AX ID: 46-1053224 cvps@cvpsllc.net		TONY MILLER	ĺ
Ragio Contraction of the Contrac	512012	www.cvpsilc.net	*	Commission No.753187 My Commission Expires June 10, 2020	
A.		-	la.	oune 10, 2020	

Case 6.20-cv-02013-CJW-MAR Document 1-2 Filed 03/02/20

E-FILED 2020 FEB 14 11:48 AM BLACKHAWK - CLERK OF DISTRICT COURT

IN THE IOWA DISTRICT COU	RT FOR BLACK HAWK COUNTY
MICHELLE BRANDT, Plaintiff,	CIVIL NO.
v. CITY OF CEDAR FALLS, IOWA, LISA ROEDING, JACQUE DANIELSEN, JOHN BOSTWICK, JEFF OLSON, and JENNIFER RODENBECK,	ORIGINAL NOTICE
Defendants.	

TO THE ABOVE-NAMED DEFENDANTS: City of Cedar Falls, Iowa, Lisa Roeding, Jacque Danielsen, John Bostwick, Jeff Olson, and Jennifer Rodenbeck.

YOU ARE HEREBY NOTIFIED that a petition has been filed in the office of the Clerk of this Court naming you as Defendants in this action. A copy of the Petition (and any documents filed with it) is attached to this notice. The attorneys for the Plaintiff are Bruce Stoltze, Jr., Stoltze & Stoltze, PLC, 300 Walnut, Suite 260, Des Moines, Iowa 50309. Plaintiff's attorney's telephone number is (515) 244-1473, facsimile is (515) 244-3930 and emails are: bj.stoltze@stoltzelaw.com.

You must serve a motion or answer within twenty (20) days after service of this Original Notice upon you and, within a reasonable time thereafter, file your Motion or Answer, with the Clerk of Court for Iowa District Court for Black Hawk, County, at the Courthouse in Waterloo, Iowa. If you do not, judgment by default will be rendered against you for the relief demanded in the Petition.

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If you need assistance to participate in court because of a disability, immediately call the disability coordinator at 515-286-3394. Persons who are hearing or speech impaired, may call Relay Iowa TTY at 1-800-735-2942. Disability coordinators cannot provide legal advice.

ORIGINAL NO	TICE AND PET	ITION AT LAW A	ND JURY DEMA	AND
INDEX/CASE#	LACV139168		1	JOB#
	HA	CVPS TE	RIP SHEET	
FILE NO. 20-4	168		/ED: 2-12-20	TIME: 2:30PM
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PERSON TO B	e served: JA	CQUE DAN	IELSEN	
SIGNATURE:	Jaconsk	anielan	,	
The above signed	individual, acknowle	dges they have receive	d 🚺 🔲 2 🔲 3 📗	4 5 6 7 8 copies of service
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PERSON REQU	ESTING SERVI	CE: 515-244-147	3	
STOLTZE & ST	OLTZE, PL ATT	ORNEYS AT LAW	/ 300 WALNUT S	SUITE 260 DES MOINES IA 50309
ADDRESS TO E	BE SERVED: 92	21 W 3RD 9	ST	
(20)		CEDAR FAI	LS IA 50613	
SPECIAL INST	RUCTIONS:			
PAID\$ 55.00		CHECK#		DATE: 2-12-20

E-FILED 2020 FEB 14 11:49 AM BLACKHAWK

CLERK OF PSEIRIGES CUPT OF THIS DOCUMENT WAS FILED WITH THE IOWA EDMS.

1729 FALLS AVE STE D WATERLOO IA 50701 (319) 234-1407

	AFFIDAVIT OF RE	TURN OF SERV	VICE	
STATE OF IOWA				
BLACK HAV) <u>WK</u> COUNTY)ss			
	dersigned, being duly sworn on oath do hereby d	epose and state that I re	ceived the attached notice	e order and/or
other document(s			day of FEBRUARY	20 20
I served on the wi	thin-named JENNIFER RODENBECK			
at 220 CLAYST	, în CEDAR FAI	LLS in	BLACK HAWK	County, Iowa
by delivering a tru	e and identical copy of each such item in the foll			
	served the same by delivering a copy thereof to	the above person(s) pe	rsonally.	٠
	served the same on the above person at the above was not a rooming house, hotel, club or apartme named below, a person who was then at least 18	nt building) by there del	ouse or usual place of about livering a copy thereof to t	ie (which place he individual
r	served the same on the above person at least 18 years old.	e delivering a copy there	eof to a member of the far	nily or
	served the above person(s), company and/or co Below. Said service was made at the address sh			
Description of Person	Rule 1.302(5) Original notices may be served by an action. A party or party's agent may take an ackronament NAME AND TITLE OR RELATIONSHIP OF IND Served: Ethnicity/ F Skin Color White Age 50's Height	nowledgment of service and do DIVIDUAL SERVED (IF NO	eliver a copy of the original notice	9
	Beard/Mustache Y N Glasses	Y N		
SERVICE TIME 12:5	SPM			
CVPS FILE NO. 20–4	63	BYKMR	horay	
ORI PROCESS TYPE <u>AND</u>	GINAL NOTICE; PETITON AT LAW DJURY DEMAND		KIM BUENZOW, PROCESS SE	RVER
CASE NO. LACV13	9168			
SUBSCRIBED AND S	WORN TO BEFORE ME THE SAID	KIM	BUENZOW	
	AY OF FEBRUARY 20 20 .	A	_	
OVPS.	CVPS, LLC	Shep	WOTARY PUBLIC	
SERV	TAX ID: 46-1053224 cvps@cvpsllc.net		TONY MILLER Commission No.753187	

www.cvpsllc.net

My Commission Expires June 10, 2020

E-FILED 2020 FEB 14 11:49 AM BLACKHAWK - CLERK OF DISTRICT COURT

IN THE IOWA DISTRICT COU	RT FOR BLACK HAWK COUNTY
MICHELLE BRANDT,	CIVIL NO.
Plaintiff,	
V.	
CITY OF CEDAR FALLS, IOWA, LISA ROEDING, JACQUE DANIELSEN, JOHN BOSTWICK, JEFF OLSON, and JENNIFER RODENBECK,	ORIGINAL NOTICE
Defendants.	

TO THE ABOVE-NAMED DEFENDANTS: City of Cedar Falls, Iowa, Lisa Roeding, Jacque Danielsen, John Bostwick, Jeff Olson, and Jennifer Rodenbeck.

YOU ARE HEREBY NOTIFIED that a petition has been filed in the office of the Clerk of this Court naming you as Defendants in this action. A copy of the Petition (and any documents filed with it) is attached to this notice. The attorneys for the Plaintiff are Bruce Stoltze, Jr., Stoltze & Stoltze, PLC, 300 Walnut, Suite 260, Des Moines, Iowa 50309. Plaintiff's attorney's telephone number is (515) 244-1473, facsimile is (515) 244-3930 and emails are: bj.stoltze@stoltzelaw.com.

You must serve a motion or answer within twenty (20) days after service of this Original Notice upon you and, within a reasonable time thereafter, file your Motion or Answer, with the Clerk of Court for Iowa District Court for Black Hawk, County, at the Courthouse in Waterloo, Iowa. If you do not, judgment by default will be rendered against you for the relief demanded in the Petition.

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ORIGINAL NOTICE AND	PETITION AT LAW AND	JURY DEMAND		
INDEX/CASE# LACV139	168	J	OB#	
	CVPS TRIP	SHEET		
FILE NO. 20-463	DATE RECEIVED		TIME: 2:30PM	
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PERSON TO BE SERVED:	JENNIFER RODI	ENBECK		
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PERSON REQUESTING SE	EPVICE: 515-244-1473			\neg
STOLTZE & STOLTZE, PL		OO WALNUT SUIT	E 260 DES MOINES IA 50	300
				-
ADDRESS TO BE SERVED				
	WAVERLY I	A 50677		
SPECIAL INSTRUCTIONS	•			
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PAID\$ 104.00	CHECK#	'n	ATE. 2-12-20	

E-FILED 2020 FEB 17 1:51 PM BLACKHAWK - CVPS, LLC

CLERK OF DISTRINED COPY OF THIS DOCUMENT WAS FILED WITH THE IOWA EDMS.

1729 FALLS AVE STE D WATERLOO IA 50701 (319) 234-1407

	AFFIDAVIT OF RET	TURN OF SERV	/ICE	
STATE OF IOW				
BLACK HAY) WKCOUNTY)ss			
	dersigned, being duly sworn on oath do hereby de	noce and state that I re	coived the attached action	a andau
other document(s	s) on the 12 day of FEBRUARY 20	20 that an the 14	deves FERRIARY	e order, and/or 20 20
I served on the w	ithin-named LISA ROEDING	that on the	day or	20
at 220 CLAY ST	in CEDAR FAL	LS :_	BLACK HAWK	
by delivering a tru	ue and identical copy of each such item in the follo	The second secon		County, low
	I served the same by delivering a copy thereof to	_	sonally.	
	I served the same on the above person at the above was not a rooming house, hotel, club or apartmen named below, a person who was then at least 18 y	t building) by there del	use or usual place of aboo ivering a copy thereof to t	le (which place he individual
1	I served the same on the above person at the above rooming house, hotel, club or apartment) by there manager, clerk, proprietor, custodian or person(s) then at least 18 years old.	delivering a copy there	of to a member of the far	mily or
	served the above person(s), company and/or con Below. Said service was made at the address sho			
Description of Person	Rule 1.302(5) Original notices may be served by any action. A party or party's agent may take an ackno NAME AND TITLE OR RELATIONSHIP OF INDIn Served: Ethnicity/ F Skin Color White Age 50's Height	wiedgment of service and de VIDUAL SERVED (IF NO	liver a copy of the original notice	e
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SERVICE TIME 12:4	12PM	120		
CVPS FILE NO. 20-4	-	BY RIME	LEPTOW	
ORI PROCESS TYPE <u>ANI</u>	GINAL NOTICE AND PEITION AT LAW D JURY DEMAND		KIM BUENZOW, PROCESS SE	RVER
CASE NO. LACVI	39168	•		
SUBSCRIBED AND S	WORN TO BEFORE ME THE SAID	KIM	BUENZOW	
	AY OF FEBRUARY 20 20	Λ		
OVPS PROC	CVPS, LLC	- Chry	NOTARY PUBLIC	
SER	TAX ID: 46-1053224 cvps@cvpsllc.net	3 W	TONY MILLER Commission No.753187	

www.cvpsllc.net

* My Commission Expires
June 10, 2020

E-FILED 2020 FEB 17 1:51 PM BLACKHAWK - CLERK OF DISTRICT COURT

IN THE IOWA DISTRICT COU	IRT FOR BLACK HAWK COUNTY
MICHELLE BRANDT, Plaintiff,	CIVIL NO.
v. CITY OF CEDAR FALLS, IOWA, LISA ROEDING, JACQUE DANIELSEN, JOHN BOSTWICK, JEFF OLSON, and JENNIFER RODENBECK, Defendants.	ORIGINAL NOTICE

TO THE ABOVE-NAMED DEFENDANTS: City of Cedar Falls, Iowa, Lisa Roeding, Jacque Danielsen, John Bostwick, Jeff Olson, and Jennifer Rodenbeck.

YOU ARE HEREBY NOTIFIED that a petition has been filed in the office of the Clerk of this Court naming you as Defendants in this action. A copy of the Petition (and any documents filed with it) is attached to this notice. The attorneys for the Plaintiff are Bruce Stoltze, Jr., Stoltze & Stoltze, PLC, 300 Walnut, Suite 260, Des Moines, Iowa 50309. Plaintiff's attorney's telephone number is (515) 244-1473, facsimile is (515) 244-3930 and emails are: bj.stoltze@stoltzelaw.com.

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OHIGINAL NOT	ICE AND PE	TITION AT LAW A	ND JURY DEMAN	D	
INDEX/CASE#	DEX/CASE# LACV139168 JOB#				
		CVPS TR	IP SHEET	,	
FILE NO. 20-46	j 4	DATE RECEIV		TIME: 2:	30PM
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SIGNATURE:	/ /				
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Beard/Mustache	Y/N	Glasses Y N			
PERSON REQUE	STING SERV	TCE: 515-244-1473		9	
STOLTZE & STO	LTZE, PL ATT	TORNEYS AT LAW	300 WALNUT SUI	TE 260 DES MO	DINES IA 50309
ADDRESS TO BE	SERVED: 7	02 PARK ST	•		
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E-FILED 2020 FEB 17 1:51 PM-R

CLERK OF PSETRINES PURPLY OF THIS DOCUMENT WAS FILED WITH THE IOWA EDMS.

1729 FALLS AVE STE D WATERLOO IA 50701 (319) 234-1407

	AFFIDAVIT OF RETURN OF SERVICE
STATE OF IOV	/A)
DI ACK III	
BLACK HA	
other decument	ndersigned, being duly sworn on oath do hereby depose and state that I received the attached notice order, and/or (s) on the $\frac{12}{20}$ day of $\frac{12}{20}$ day of $\frac{12}{20}$ day of $\frac{12}{20}$ and $\frac{12}{20}$ day of $\frac{12}{20}$ day of $\frac{12}{20}$ and $\frac{12}{20}$ day of $\frac{12}{$
Learned on the	vithin-named JEFF OLSON, DIRECTOR OF PUBLIC SAFETY 20 20 that on the 14 day of FEBRUARY 20 20 vithin-named JEFF OLSON, DIRECTOR OF PUBLIC SAFETY
at 220 CLAY ST	CEDAD VALLE DI ACRETANDO
	rue and Identical copy of each such item in the following manner:
<u>√</u>	iserved the same by delivering a copy thereof to the above person(s) personally.
	I served the same on the above person at the above person's dwelling house or usual place of abode (which place was not a rooming house, hotel, club or apartment building) by there delivering a copy thereof to the individual named below, a person who was then at least 18 years old.
	I served the same on the above person at the above person's dwelling, house or usual of abode (which place was a rooming house, hotel, club or apartment) by there delivering a copy thereof to a member of the family or manager, clerk, proprietor, custodian or person(s) in possession named and described below, a person who was then at least 18 years old.
	I served the above person(s), company and/or corporation by delivering a copy to the person named and described Below. Said service was made at the address shown below, if any, otherwise at the address above.
Description of Pers	Rule 1.302(5) Original notices may be served by any person who is neither a party nor the attorney for a party to the action. A party or party's agent may take an acknowledgment of service and deliver a copy of the original notice NAME AND TITLE OR RELATIONSHIP OF INDIVIDUAL SERVED (IF NOT SHOWN ABOVE) on Served: Ethnicity/ F Skin Color White Age 60's Height 6' 2" Weight 195 bs Hair Color Brown
SERVICE TIME 1:	26PM
CVPS FILE NO. 20	RIGINAL NOTICE AND PEITION AT LAW ND JURY DEMAND BY RIGHT SONO KIM BUENZOW , PROCESS SERVER
CASE NO. LACY	
	SWORN TO BEFORE ME THE SAID KIM BUENZOW
CHRECOIDED AND	

Case 6:20-cv-02013-CJW-MAR Document 1-2 Filed 03/02/20

IN THE IOWA DISTRICT COU	RT FOR BLACK HAWK COUNTY
MICHELLE BRANDT,	CIVIL NO.
Plaintiff,	
**	
CITY OF CEDAR FALLS, IOWA, LISA ROEDING, JACQUE DANIELSEN, JOHN BOSTWICK, JEFF OLSON, and JENNIFER RODENBECK,	ORIGINAL NOTICE
Defendants.	

TO THE ABOVE-NAMED DEFENDANTS: City of Cedar Falls, Iowa, Lisa Roeding, Jacque Danielsen, John Bostwick, Jeff Olson, and Jennifer Rodenbeck.

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ORIGINAL NOTICE AND	PETITION AT LAW AN	D JURY DEMAN	ND
INDEX/CASE# LACV1391	168		JOB#
	CVPS TRI	PSHEET	
FILE NO. 20-467	DATE RECEIVE		TIME: 2:30PM
DATE TIME	ADDRESS	COM	MENTS
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11			4
PERSON TO BE SERVED	JEFF OLSON- I	DIRECTOF	OF PUBLIC SAFETY
SIGNATURE:	ACE .		
The above signed individual, ack	nowledges they have received	V 1 2 3 4	5 6 7 8 copies of service
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Beard/Mustache Y	N Glasses Y N		
PERSON REQUESTING SI	ERVICE: 515-244-1473		
_		300 WALNUT SI	JITE 260 DES MOINES IA 50309
ADDRESS TO BE SERVED	, 4600 MAIN ST	•	
137/4	CEDAR FALL		
SPECIAL INSTRUCTIONS	•		
	717-001		
PAID\$ 55.00	CHECK#		DATE: 2-12-20